

REMARKS

In the Office Action dated July 31, 2007, the Examiner rejected claims 1, 12, 15, 26, 38, 39, 55, and 56 under 35 U.S.C. § 112, and rejected claims 12, 17, 19, 21, 22, 36, 37, 38, 39 under 35 U.S.C. § 102.

While Applicants have amended the claims, Applicants traverse the rejections under section 112 as being improper. First, it is well established that a claim element may be defined in means plus function language. 35 U.S.C. § 112, ¶ 6. Thus, Applicants could claim “means for attaching the facing strip to the metal plates.” It is difficult to see how a person of ordinary skill in the art would understand a claim element “means for attaching the facing strip to the metal plates”, but would not understand a claim element “a first plurality of bolts and nuts for attaching the facing strip to the metal plates”. Applicants submit that the original language in the claims is proper and reserves the right to use the language if further revisions are necessary.

With respect to the art based rejections, Applicants respectfully traverse the rejection based on Bateman ‘936. The examiner asserts that the bullet containment frame is not shown in Bateman, but that the claim element is met by the wall to which the plates are attached by a chain or cable. This is inconsistent with the art cited. Bateman ‘936 does teach a bullet containment frame, which is the wood post and the wood panels, see e.g. 50/64. The wall to which the plates are attached, however, is not a bullet containment frame.

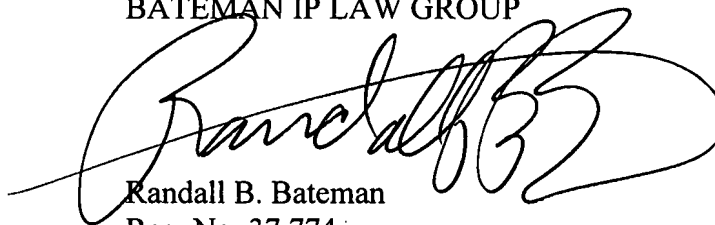
While Applicants traverse the rejections, Applicants have amended the claims to make clear that the bullet containment frame is not intended to mean a wall behind the steel plates.

Applicants submit that the claims are in condition for allowance. Counsel requests that the Examiner call Randall B. Bateman at (801) 533-0320 regarding any further concerns with the application.

The Commissioner is hereby authorized during the entire pendency of this application to credit any overpayment and debit any amount owing, including fees for extensions of time, to Deposit Account No. 50-2720.

Sincerely,

BATEMAN IP LAW GROUP

A large, stylized handwritten signature in black ink, appearing to read 'Randall B. Bateman', is written over the printed name and address.

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